

App F IX 4

Previous References

Previous
1933-34
(*inc*)

File No 147-33

Serial Nos 1 + 2

Later References

✓

General and Revenue Secretariat.

Serial Nos 2

Part B for November 1933

SUBJECT

Leasing of action Collections in
the Vaduganahalli Municipality

To The Dy. Commr Bangalore
No 23449 of 15-11-33

States that the leasing out of action
is illegal and cannot be permitted

29 11 33

1775
2

[App F III-2

71 File No 147 of 1933

Serial
No

1

Letter No C2-4956/33 34 dated The 15th October 1933 from the Deputy Commissioner Bangalore District, forwarding a copy of letter No A1-49/33-34 dated the 26th August 1933 on the subject of The leasing of octroi collections in the Vadigenahalli Municipality and requesting that in the circumstances explained sanction be accorded as a special case to the resolution of the Municipal Council for the leasing of octroi collections to Mr Basappa on an annual rental of Rs 1500 for a period of 3 years in the first instance. It is reported that the fall in the octroi collections during the last 4 years is due more to the neglect on the part of the Municipality to organise measures for guarding against smuggling and the want of adequate supervision over the staff employed on collection work and that the Municipality cannot supervise the collection of octroi as there is no responsible executive officer. The Deputy Commissioner solicits sanction, as a special case, to the resolution of the Vadigenahalli Municipal Council for leasing out the right to collect octroi instead of doing the same through department.

Leasing of Octroi Collections in The Vadigenahalli Municipality

File No

1775
2

1775
14

of 1933

General and Revenue
Secretariat

agency only, ~~relax~~ as per rule Section 68 of the Minor Municipalities Regulation provides that ~~only~~ the collection of tolls and fees only can be leased by a Minor Municipal Council and the right to lease does not extend to the case of octroi collection which has to be done through its agency alone. It is a point for ^{which is sensible} orders if the relaxation of the rule in this behalf does not tend to result in needless complications and difficulties, more especially when this right of collection is to be devolved on private contractor. Besides,

The Deputy Commissioner has ~~been sent~~ ^{submitted} a proposal for the entertainment of a Sanitary Meeting in the Vadigenahalli Municipality for the purpose of supervising sanitation and collections and it is submitted for favour of consideration that, with the appointment of the proposed executive official, better supervision and control would not be properly effected in regard to the octroi collections, ^{affording} ~~bothness~~ at the same time, the necessity - if possible - of relaxing the rule above referred to

Submitted for orders
13/10 AM

For favor of opinion if the relaxation recommended in the penultimate para -

(vide letter 1/10)

2216933 /
Leasing of collections by the Vaidyashala, Mysore

Serial
No

of the Dy Commr letter is permissible

Asst Secy Law Secy
Mysore Camp 5

26/10

Sec 68 of the Mysore H' Regn empowers and
the farming of tolls & fees imposed under
clauses (k) & (l) of sec 61 (1) Leasing out of
octroi is therefore illegal & ultra vires &
cannot be permitted

Asst Secy Leg
Mysore Camp 5

31/10

The Dy Commr will be informed that
as at A above

4/11

Secy Secy

I agree

11/11/11

12/11/11

1/12

Dr. S. S. Srinivasan

9/11

Submitted with a dt for approval

10/11/11

Secy Secy

13/11

34498 15 11 33

We Bangalore
States that the leasing out of octroi is illegal and
ultra vires and cannot therefore be permitted

WD 70-GBPM-60 000-1

-Co to Sheet

Det. B
21/11

Rule No

of 193

General and Revenue
Secretariat

In all future communication
please quote
V 22-4956/33-34
B One file

Tl Address - DEPCOM
Post B N 34

OFFICE OF THE DEPUTY COMMISSIONER
BANGALORE DISTRICT

Dated Bangalore the 15th October 1933

OM

K V Anantaraman, Esq, B A,
Deputy Commissioner
Bangalore District

To

H Ramaswami, Esq, M A, B L,
General Secretary
to the Government of Mysore
Bangalore

3-1-35
19 OCT 33
L B & B 10H

CRK
4-1-33
S
17/10

Subject Leasing of octroi collections in the
Vadigenahalli Municipality.

In forwarding herewith a copy of letter No A1-49/33-34 dated the 26th August 1933 from the Sub Division Officer, Doddballapur on the above subject, I have the honour to state that on receipt of a petition from some of the residents of the Vadigenahalli Municipality complaining that the Municipal Administration is mismanaged and that octroi collections are going down from year to year due to the neglect of the shanbhogue who is put in charge of the collection work etc, the Sub Division Officer, Doddballapur was asked to report after enquiry on the allegations contained in the petition. He has reported that the octroi collections are going down from year to year, and that the fall is noticeable during the last 4 years, as it was Rs 1127-10-10 during 1928-29 but only Rs 671-14-8 during 1932-33, and that the fall is due more to the neglect on the part of the Municipality to organise measures for guarding against smuggling and the want of adequate supervision over the staff employed on collection work. A comparative statement showing the collections under this head during the last five years is enclosed in the file.

For the present the patel and shanbhogue are entrusted the collection of octroi duty also. No ukhads are established in the municipality. The Municipality cannot

collection of octroi as there is no responsible executive officer. Messrs K Basappa, Appayyanna and G V Venkataramanappa have submitted applications, that they are willing to take up the contract of the right to collect octroi if it is sold to them for a period of 3 years on an annual rental of Rs 1500/-, 1300/- and 1400/- respectively

The Municipal Council in their meeting held on 16-8-1933 has resolved to lease out the octroi collections and to accept the tender of Mr Basappa for Rs 1500/- A copy of the resolution is enclosed in the file

The Sub Division Officer, Doddballapur has reported that though under the Municipal Regulation the Council have no option but to collect octroi through departmental agency only, the rule may be relaxed in the case of minor municipalities as they cannot afford to forego the extra revenue derived by such a procedure without any corresponding increase on the establishment. I agree with the opinion of the Sub Division Officer and request you to kindly obtain sanction of Government as a special case to allow this Municipality to lease out the right to collect octroi as resolved by the Council for a period of 3 years in the first instance

The file of correspondence ending with the Sub Division Officer's letter no A1-49/33-34 dated 26-8-1933 is forwarded herewith for reference and return

I have the honor to be,
Sir,
Your most obedient servant.

K. S. Srinivasan
DEPUTY COMMISSIONER,
BANGALORE DISTRICT.

Appendix FG-1]

SUBJECT. Leasing of octroi collections in the
Vaduganahalli Minor Municipality

Section 14-1

File No 147 33

Serial No 2

Diary No of letter replied to

No L 3449

To

Secy (Records)

General and Revenue Secretariat

()

the 193

The Deputy Commissioner

Bangalore District

Sir,

Date of issue 15-11-33

With reference to your letter

Signed by Mr. R. Subbanna

No C2-4956/33-34, requesting

that, as a special case,

The Vaduganahalli Minor

Municipality may be allowed

to lease out the right to

collect the octroi for a

period of three years in the

List of enclosures

Copied by

13/11/33

out of octroi is illegal and

Examined by

ultra vires and cannot therefore

be permitted. The connected

records are returned herewith

WD 71-GBPM-40 000-20 7 31

I have etc

For the Central Secretaries

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Central and Revenue Secretariat

Dated Bangalore 13th November 1933

L 3449/2 147-33-2

The General Secretary to the Government of His Highness
the Maharaja of Mysore

To

The Deputy Commissioner,
Bangalore District, Bangalore

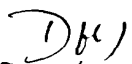
Sir

With reference to your letter No C2 4956/33-34 dated 15th October 1933, requesting that, as a special case, the Vadigenahalli minor municipality may be allowed to lease out the right to collect Octroi for a period of three years in the first instance, I am directed to state that the leasing out of Octroi is illegal and "ultravires" and cannot therefore, be permitted. The connected records are returned herewith.

I have the honour to be,

Sir,

Your most obedient servant,


For General Secretary to Government

R 2/13-11

